

PATENT
Serial No. 09/990,830
Amendment in Reply to Office Action of December 9, 2005

REMARKS

Reconsideration of the present application as amended is respectfully requested.

By means of the present amendment, the specification has been amended for conformance with the drawings.

In the Office Action, claims 1-4, 8-17, 21-30 and 34-41 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication 2002/0124252 (Schaefer). Further, claims 5-7, 18-20, 31-33 and 42 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Schaefer in view of U.S. Patent No. 6,668,278 (Yen). It is respectfully submitted that claims 1-42 are patentable over Schaefer and Yen for at least the following reasons.

Schaefer is directed to a method and system for providing information alerts via an interactive video casting system based on user configurable profile data. Page 5, paragraphs [0044-0046] are cited in rejecting independent claims 1, 14, 27 and 40 on page 3 of the Office Action to allegedly show sensing a content change as a function of detectable content attributes of a broadcast content

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stream, and detecting a special event content broadcast within the broadcast content stream as a function of the sensed content change. Applicants respectfully disagree.

In particular, the noted sections of Schaefer teach providing an information alert, e.g., via a trigger, as part of a television signal. A set top box 152 (FIGs 1-2) "can be configured by the manufacturer to receive and process such triggers and information alerts," as specifically recited on Page 5, paragraphs [0044], lines 4-6. (Emphasis added)

Page 5, paragraph [0045], last sentence recites that the "user profile will dictate whether or not the information alert 404 will be shown to the user." (See also FIG 4 showing a displayed program 402 and alert 404)

Page 5, paragraph [0046], discussing FIG 5, recites that the user profile 502 contains mapping of alert types to channel being viewed. More specifically, page 5, paragraph [0046], beginning with line 6, recites:

In the example shown in FIG. 5, the user has configured his profile 502 to always allow "emergency alerts" to be sent regardless of the channel that the user is currently viewing. The user has also configured his profile 502 to never

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allow "weather alerts" to be sent. In this manner, the user has complete control of the information alert.

It is respectfully submitted that there is no teaching or suggestion in page 5, paragraphs [0044-0046] of Schaefer of the present invention as recited in independent claim 1, and similarly recited in independent claims 14, 27 and 40 which, amongst other patentable features, requires:

- (i) sense a content change within at least one of said plurality of broadcast content streams as a function of said detectable content attributes,
- (ii) detect said special event content broadcast within said at least one of said plurality of broadcast content streams as a function of said sensed content change. (Emphasis added)

Although Schaefer discloses receiving triggers and providing alerts, it is completely silent about sensing content change and detecting special event as a function of the sensed content change, as recited in independent claims 1, 14, 27 and 40.

Further, as noted above and as specifically recited on Page 5, paragraphs [0044], lines 4-6, Schaefer discloses that the set top box 152 (FIGs 1-2) is "configured by the manufacturer to receive and process such triggers and information alerts." Thus, Schaefer teaches away from detecting a special event as a function of the

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sensed content change. Schaefer requires that a trigger be inserted in the content stream to provide alerts.

Yen is cited in rejecting other claims to allegedly show other features and does not remedy the deficiencies in Schaefer.

Accordingly, it is respectfully submitted that independent claims 1, 14, 27 and 40 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-13, 15-26, 28-39 and 41-42 should also be allowed at least based on their dependence from independent claims 1, 14, 27 and 40.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or

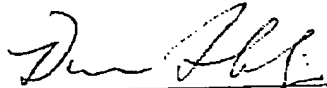
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charges are required for entrance of the accompanying amendment, they may be charged to applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Please direct all future correspondence related to this application to: PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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Respectfully submitted,

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